

## Preliminary Classification:

Proposed Class

Subclass

NOTE "All applicants are requested to include a preliminary classification on newly filed patent applications. The preliminary classification, preferably class and subclass designations, should be identified in the upper right-hand corner of the letter of transmittal accompanying the application papers, for example 'Proposed Class 2, subclass 129.'" MPEP § 601, 7th ed

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Box Patent Application  
Assistant Commissioner for Patents  
Washington, D.C. 20231

## NEW APPLICATION TRANSMITTAL

Transmitted herewith for filing is the patent application of  
Inventor(s): Neal A. Hammond

**WARNING:** 37 C.F.R. § 1.41(a)(1) points out:

"(a) A patent is applied for in the name or names of the actual inventor or inventors

"(1) The inventorship of a nonprovisional application is that inventorship set forth in the oath or declaration as prescribed by § 1.63, except as provided for in § 1.53(d)(4) and § 1.63(d). If an oath or declaration as prescribed by § 1.63 is not filed during the pendency of a nonprovisional application, the inventorship is that inventorship set forth in the application papers filed pursuant to § 1.53(b), unless a petition under this paragraph accompanied by the fee set forth in § 1.17(i) is filed supplying or changing the name or names of the inventor or inventors."

For (title): Rice-Flour Hydrolysates Fat Substitute

**CERTIFICATION UNDER 37 C.F.R. §§ 1.8(a) and 1.10\***

(When using Express Mail, the Express Mail label number is mandatory,  
Express Mail certification is optional)

I hereby certify that, on the date shown below, this correspondence is being:

**MAILING**

☒ deposited with the United States Postal Service in an envelope addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231

37 C.F.R. § 1.8(a)

37 C.F.R. § 1.10 \*

☐ with sufficient postage as first class mail

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**TRANSMISSION**

☐ facsimile transmitted to the Patent and Trademark Office, (703) \_\_\_\_\_

Signature

Date: October 12, 2001

Robert Charles Hill

(type or print name of person certifying)

\* Only the date of filing (§ 1.6) will be the date used in a patent term adjustment calculation, although the date on any certificate of mailing or transmission under § 1.8 continues to be taken into account in determining timeliness. See § 1.703(f). Consider "Express Mail Post Office to Addressee" (§ 1.10) or facsimile transmission (§ 1.6(d)) for the reply to be accorded the earliest possible filing date for patent term adjustment calculations.

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10/12/01  
JC928 U.S. PTO

jc986 U.S. PTO  
09/977106  
10/12/01

## 1. Type of Application

This new application is for a(n)

(check one applicable item below)

- ☒ Original (nonprovisional)  
☐ Design  
☐ Plant

**WARNING:** Do not use this transmittal for a completion in the U S of an International Application under 35 U S C § 371(c)(4), unless the International Application is being filed as a divisional, continuation or continuation-in-part application

**WARNING:** Do not use this transmittal for the filing of a provisional application.

**NOTE** If one of the following 3 items apply, then complete and attach ADDED PAGES FOR NEW APPLICATION TRANSMITTAL WHERE BENEFIT OF A PRIOR U S APPLICATION CLAIMED and a NOTIFICATION IN PARENT APPLICATION OF THE FILING OF THIS CONTINUATION APPLICATION

- ☐ Divisional.  
☐ Continuation  
☐ Continuation-in-part (C-I-P)

## 2. Benefit of Prior U.S. Application(s) (35 U.S.C. §§ 119(e), 120, or 121)

**NOTE** A nonprovisional application may claim an invention disclosed in one or more prior filed copending nonprovisional applications or copending international applications designating the United States of America. In order for a nonprovisional application to claim the benefit of a prior filed copending nonprovisional application or copending international application designating the United States of America, each prior application must name as an inventor at least one inventor named in the later filed nonprovisional application and disclose the named inventor's invention claimed in at least one claim of the later filed nonprovisional application in the manner provided by the first paragraph of 35 U.S.C. § 112. Each prior application must also be:

(i) An international application entitled to a filing date in accordance with PCT Article 11 and designating the United States of America, or

(ii) Complete as set forth in § 1.51(b), or

(iii) Entitled to a filing date as set forth in § 1.53(b) or § 1.53(d) and include the basic filing fee set forth in § 1.16, or

(iv) Entitled to a filing date as set forth in § 1.53(b) and have paid therein the processing and retention fee set forth in § 1.21(f) within the time period set forth in § 1.53(f)

37 C.F.R. § 1.78(a)(1)

**NOTE** If the new application being transmitted is a divisional, continuation or a continuation-in-part of a parent case, or where the parent case is an International Application which designated the U.S., or benefit of a prior provisional application is claimed, then check the following item and complete and attach ADDED PAGES FOR NEW APPLICATION TRANSMITTAL WHERE BENEFIT OF PRIOR U.S. APPLICATION(S) CLAIMED

**WARNING:** If an application claims the benefit of the filing date of an earlier filed application under 35 U.S.C. §§ 120, 121 or 365(c), the 20-year term of that application will be based upon the filing date of the earliest U.S. application that the application makes reference to under 35 U.S.C. §§ 120, 121 or 365(c) (35 U.S.C. § 154(a)(2) does not take into account, for the determination of the patent term, any application on which priority is claimed under 35 U.S.C. §§ 119, 365(a) or 365(b)). For a c-i-p application, applicant should review whether any claim in the patent that will issue is supported by an earlier application and, if not, the applicant should consider canceling the reference to the earlier filed application. The term of a patent is not based on a claim-by-claim approach. See Notice of April 14, 1995, 60 Fed. Reg. 20,195, at 20,205.

**WARNING:** When the last day of pendency of a provisional application falls on a Saturday, Sunday, or Federal holiday within the District of Columbia, any nonprovisional application claiming benefit of the provisional application **must** be filed prior to the Saturday, Sunday, or Federal holiday within the District of Columbia. See 37 C.F.R. § 1.78(a)(3).

- ☐ The new application being transmitted claims the benefit of prior U.S. application(s). Enclosed are ADDED PAGES FOR NEW APPLICATION TRANSMITTAL WHERE BENEFIT OF PRIOR U.S. APPLICATION(S) CLAIMED.

### 3. Papers Enclosed

- A. Required for filing date under 37 C.F.R. § 1.53(b) (Regular) or 37 C.F.R. § 1.153 (Design) Application

12 Pages of specification

4 Pages of claims

1 Sheets of drawing

**WARNING:** DO NOT submit original drawings. A high quality copy of the drawings should be supplied when filing a patent application. The drawings that are submitted to the Office must be on strong, white, smooth, and non-shiny paper and meet the standards according to § 1.84. If corrections to the drawings are necessary, they should be made to the original drawing and a high-quality copy of the corrected original drawing then submitted to the Office. Only one copy is required or desired. For comments on proposed then-new 37 C.F.R. § 1.84, see Notice of March 9, 1988 (1990 O.G. 57-62).

**NOTE:** "Identifying indicia, if provided, should include the application number or the title of the invention, inventor's name, docket number (if any), and the name and telephone number of a person to call if the Office is unable to match the drawings to the proper application. This information should be placed on the back of each sheet of drawing a minimum distance of 1.5 cm. (5/8 inch) down from the top of the page . . ." 37 C.F.R. § 1.84(c)).

(complete the following, if applicable)

- ☐ The enclosed drawing(s) are photograph(s). Three (3) sets of photographs and a "PETITION TO ACCEPT PHOTOGRAPH(S) AS DRAWING(S)" are attached. 37 C.F.R. § 1.84(b).
- ☐ The enclosed drawing(s) are in color. Three (3) sets of color drawings and a "PETITION TO ACCEPT COLOR DRAWING(S)" are attached. 37 C.F.R. §§ 1.84(a)(2) and 1.84(b).
- ☒ formal
- ☐ informal

- B. Other Papers Enclosed

7 Pages of declaration and power of attorney

1 Pages of abstract

13 Other New Application Transmittal; 2 Verified Statement

### 4. Additional papers enclosed

- ☐ Amendment to claims
- ☐ Cancel in this applications claims \_\_\_\_\_ before calculating the filing fee. (At least one original independent claim must be retained for filing purposes.)
- ☐ Add the claims shown on the attached amendment. (Claims added have been numbered consecutively following the highest numbered original claims.)